

08-04-05
IPW #



RULE 132 AFFIDAVIT

In the United States Patent and Trademark Office

Serial number 10/730,605

Examiner: Shih-yung Hsiesh

Group Art Unit number (2837)

Applicant: Robert W. Love

Filed: December 8, 2003

Today's mailing date:

Invention title: Inversely Proportioned Mouthpieces

I, Robert W. Love, declare and say;

That I am the inventor in the above-identified patent application;

That I graduated in 1980 with a Bachelor of Science from Wright State University in Dayton, Ohio; That I have worked in scientific research for the UCLA Brain Research Institute, Westinghouse R& D Center, Systems Research Laboratories, and The Human Engineering Division at Wright-Patterson Air Force Base;

That I have studied the scientific design of brass-wind musical instruments since 1985. That I moved to California for nearly three years to study with renowned brass-wind acoustician William T. Cardwell Jr. and that I became General Manager of Marcinkiewicz Music Products, a respected designer and maker of conventional brass-wind mouthpieces; That I founded Love Music Services Co. in 2001 to formalize research and development of new concepts in design of brass-wind instruments and brass-wind mouthpieces;

That I have 39 years experience as a trumpet player, ascended to first chair of the top university band while a student at a Wright State University, and am considered a fine trumpet player; That I am trained and competent to play B-flat trumpet, C-trumpet, piccolo trumpet, cornet, and flugelhorn. That I have studied and played French Horn, trombone, euphonium and tuba;

That I have designed and built a laboratory for scientific measurement to investigate acoustic behavior of brass-wind instruments and related mouthpieces; That my acoustic research had led me to acquire over one hundred mouthpieces in my quest for understanding design issues;

That I have trained as a machinist and purchased precision machining equipment specifically to manufacture my own prototypes; That I have personally modified and machined many mouthpieces for experimental purposes;

That the acoustical behavior brass-wind mouthpiece is extraordinarily more complicated, as acoustical device, than any un-skilled lay person could ever imagine. That simplistic appearance of brass-wind mouthpieces are extremely deceiving; That the most talented musicians are extremely sensitive to minute adjustments, and that most eminent musicians often have mouthpieces custom-made because the extreme demands placed upon them in public performance;

That I have been personally acquainted with Joe Shepley, have discussed his mouthpiece patent with him several years ago, worked for the company that made Joe Shepley-endorsed mouthpieces, and am extremely well-qualified to explain in detail the purpose, scope, and ramification of Joe Shepley's mouthpiece patent; That the PTO has misread, misinterpreted and misapplied the teaching of Shepley and Bach;

That I am personally acquainted with the most renowned mouthpiece makers who practice their art in the continental United States; That I fully understand the type of mouthpieces that they make and the variations in which they engage; That I am extremely competent to judge what kind of mouthpiece innovation that might be "anticipated" by past and current mouthpiece makers;

That I have represented, fairly, truthfully, and skillfully the large difference between my mouthpiece invention and that of prior art; That my Specification will be well understood by mouthpiece artisans; *That I had to invent, in addition, new ways to describe mouthpiece design from prior-art (direct vs. indirect proportions), because mouthpiece designers are very secretive, little information is available, and much "teaching" is interlaced with much error and superstition;*

That he enclosed exhibit may be of use or interest;

That the undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 100 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon;

Further declarant saith not.

August 3, 2005

A handwritten signature in black ink, appearing to read "Robert W. Love". The signature is fluid and cursive, with the first name "Robert" and last name "Love" clearly distinguishable.

Robert W. Love, pro se